

82

Notice of Allowability	Application No.	Applicant(s)	
	10/684,541	ZULOFF, STEVEN	
	Examiner	Art Unit	
	James W. Cranson	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 7/7/05.
2. ☒ The allowed claim(s) is/are 2-33.
3. ☒ The drawings filed on 06 July 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Amendment and Remarks

Applicant's arguments, see amendment, filed 7/11/2005, with respect to Office Action mailed 5/3/2005 have been fully considered and are persuasive. The USC 102(a) rejection of claims 1,2,9,15 and 16 as being anticipated by Maiden has been withdrawn. The USC 103(a) rejection of claims 1,4-6, 13,15, 16, 19 and 27 as being obvious in view of Hanley has been withdrawn. The USC 103(a) rejection of claims 7, 8 and 21 as being obvious in view of Hanley in view of Vanderschuit has been withdrawn. Applicant has canceled claim 1 and all claims previously dependent on claim 1 have been amended to depend from amended claim 4.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: Claim 4 has been amended to be independent with the limitations of claim 1, " a portable housing having substantially the same predetermined shape, a plurality of opening on said housing, a plurality of UV LEDs, one UV LED in each opening facing outwardly from said opening". The art of record, Hanley, does not disclose, teach or suggest the aforementioned limitations in his HEADGEAR WITH FORWARD ILLUMINATION. Also upon reconsideration, the similar limitations of a portable housing, a plurality of opening on said housing, a first set of a plurality of UV LEDs, one UV LED of said first set of a plurality of UV LEDs in each opening facing outwardly from said opening in independent claim 27 are not disclosed or taught in the art of record.

Claims 5-9, 13, 15, 16 and 19 depend from claim 4 and are allowable for the same reasons.

Claims 3,10-12,14,18,20,22,23 and 28-33 were indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These aforementioned claim have been amended to independent form. Claims 11-12,14,32 and 33 depend from these claims and are also allowable. Claims 24-26 were allowed in previous Office Action.

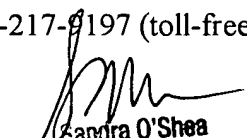
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James W.Cranson whose telephone number is 571-272-2368. The examiner can normally be reached on Mon-Fri 8:30A.M.- 5:00P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800

Application/Control Number: 10/684,541

Page 4

Art Unit: 2875

A handwritten signature in black ink, appearing to be 'Jm' with a long, sweeping horizontal stroke extending to the right.
